

FINAL BILL REPORT

ESB 5049

C 465 L 05

Synopsis as Enacted

Brief Description: Requiring the disclosure of information about mold in residential dwelling units.

Sponsors: Senators Kohl-Welles, Benton, Fairley, Esser, Thibaudeau, Prentice, McAuliffe, Kline and Rockefeller.

Senate Committee on Financial Institutions, Housing & Consumer Protection **House Committee on Housing**

Background: A landlord does not have a duty under the Residential Landlord Tenant Act to provide tenants with information on the health hazards related to indoor mold exposure.

Mold is a class of fungi that reproduces through the production of spores. These spores can be released into the air, resulting in skin and respiratory exposure. In moist conditions, molds can grow indoors on a variety of surfaces. Everyday activities, such as cooking, doing laundry, washing dishes, and taking showers, give off moisture that may create mold growth, although not always readily visible.

Indoor mold may cause health problems. Persons with allergies or asthma could be susceptible to mold-induced skin rashes, eye irritation, and congestion, among other symptoms. Further, depending upon the level of exposure, mold toxins may result in such symptoms as fatigue, nausea, headaches, and respiratory irritations.

There are no federal regulations governing indoor air quality standards for mold.

Summary: Landlords of residential property are required to provide tenants with information on the health hazards associated with indoor mold. Information, provided or approved by the Department of Health, must detail how mold growth can be controlled by the tenant in order to minimize the related health risks. The Department must make this information available on their web site and, if requested, mail a printed version to landlords that do not have computer access. If the Department develops or changes the information, landlord representatives must be involved in the process.

Landlords must either: (1) post the mold information in a visible public location at the residential property or (2) provide the information to new tenants at the time the lease or rental agreement is signed and to current tenants no later than January 1, 2006.

Landlords, agents, and their employees are immune from civil liability if they fail to provide the required information on mold, unless the omission was knowingly and intentionally made.

Votes on Final Passage:

Senate	30	14	
House	60	34	(House amended)

Senate 46 1 (Senate concurred)

Effective: July 24, 2005